

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

TAMARA LOHR and RAVIKIRAN SINDOGI, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

vs.

NISSAN NORTH AMERICA, INC., and
NISSAN MOTOR CO., LTD.,

Defendants.

NO. 2:16-cv-01023-RSM

**STIPULATED MOTION AND ORDER TO
EXTEND BRIEFING DEADLINES AND RE-
NOTE PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

**NOTED FOR CONSIDERATION:
June 28, 2021**

I. STIPULATED MOTION

Plaintiffs Tamara Lohr and Ravikiran Sindogi and Defendant Nissan North America, Inc. respectfully request that the Court extend the briefing deadlines for Nissan's motions to exclude as set forth below and re-note Plaintiffs' motion for class certification, Dkt. No. 109, so all four motions are considered and heard together. The deadline for Plaintiffs to file their reply in support of class certification, which is currently set for August 2, 2021, would remain unchanged.

There is good cause to grant the parties' motion. On June 14, 2021, Defendant filed its opposition to Plaintiffs' motion for class certification together with its expert disclosures and reports. Dkt. Nos. 123, 123-2, 123-6, 123-12, 123-18. Contemporaneously with those filings, Defendant filed three separate motions to exclude Plaintiffs' experts, each of which relies, in

1 part, on the opinions of its own experts. See Dkt. Nos. 124, 125, and 126. Plaintiffs' deadline to
2 respond to the motions to exclude is July 5, 2021 and Defendants deadline to reply is July 9,
3 2021. See Dkt. No. 127.

4 To fully respond to Defendant's motions, Plaintiffs will need to depose Defendant's
5 four experts. The parties have worked together to coordinate these depositions, and they are
6 tentatively scheduled for July 9, July 13, July 14, and July 16, 2021. Once the depositions are
7 complete, Plaintiffs will need time to obtain and analyze the transcripts and integrate the
8 testimony into their responses. The parties are also coordinating deadlines with a companion
9 case filed in the Northern District of California, *Johnson et al. v. Nissan North America, Inc.*,
10 No. 3:17-cv-00517-WHO. The Plaintiffs in *Johnson* are seeking a similar extension of the
11 briefing schedule on Defendant's motions to exclude, which will allow both cases to remain on
12 parallel tracks. The extended briefing schedule proposed below will not meaningfully delay
13 the resolution of this case and will allow the parties to better address the complex and highly
14 technical subject matter involved in Defendant's motions.

15 Accordingly, amending the briefing schedule to allow Plaintiffs to depose Defendant's
16 experts, with a commensurate extension of the deadline for Defendant to file its replies, will
17 serve the interests of the parties and judicial efficiency. The parties therefore stipulate and
18 move the Court for an order extending the briefing schedule on Defendant's motions to
19 exclude and re-noting Plaintiff's motion as follows:

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21 EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
22 Deadline for Plaintiff to File Responses 23 to Defendant's Motions to Exclude	07/05/2021	08/13/2021
24 Deadline for Defendant to File Replies in 25 Support of Defendant's Motions to Exclude	07/09/2021	09/03/2021
26 Noting Date for Defendant's Motions to 27 Exclude	07/09/2021	09/03/2021

EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Noting Date for Plaintiffs' Motions for Class Certification	08/02/2021	09/03/2021

STIPULATED TO AND DATED this 29th day of June, 2021.

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II. ORDER

IT IS SO ORDERED. Defendant Nissan North America's motions to exclude Thomas Read, Neil Hannemann, Steven Gaskin, and Colin Weir, Dkt. Nos. 124, 125, 126, and Plaintiffs' Amended Motion for Class Certification, Dkt. No. 109, are RENOTED to September 3, 2021. Plaintiff's Responses to Defendant's motions to exclude are due August 13, 2021, and Defendant's replies thereto are due September 3, 2021. The August 2, 2021 deadline for Plaintiffs to file their reply in support of their motion for class certification shall remain unchanged.

Dated this 29th day of June, 2021.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE